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UNCLAS SECTION 01 OF 03 LAGOS 000129

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STATE FOR AF/W, AF/EX AND INR/AA
STATE PASS TO USTR-AGAMA
BAGHDAD FOR MCCULLOUGH
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TREASURY FOR PETERS AND HALL
DOC FOR 3317/ITA/OA/KBURRESS AND 3130/USFC/OIO/ANESA/DHARRIS
USAID/AFR/WA FOR TWAY, USAID/AFR/SD JHILL, AND UNSAID/EGAT
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SUBJECT: NIGER DELTA TECHNICAL COMMITTEE WARNS FAILURE TO
IMPLEMENT RECOMMENDATIONS UNDERMINES FEDERAL GOVERNMENT'S
CREDIBILITY

REF: A. LAGOS 14
[¶](#)B. 08 ABUJA 1951

[¶](#)1. (SBU) Summary: The Niger Delta Technical Committee Report, submitted to President Yar 'Adua on December 1, 2008, reviewed 14 previous reports on the Niger Delta, and made recommendations to solve the long-standing crisis there. (Note: the report has not yet been made public and Post's analysis is based on a copy provided confidentially by one of the Committee members. End Note.) The report highlighted the fact that most of the problems and solutions for the Niger Delta have been identified for decades and that the failure to implement past recommendations has led to increasing frustration with and seriously undermined the credibility of the Federal Government. The committee broke down their recommendations into two parts: 1) a "Compact with Stakeholders" which amounts to a catalogue of immediate measures to restore the credibility of the GON and establish confidence in the process, and 2) all other recommended measures. The report identifies not only the tasks that need to be carried out but the time-frame and the appropriate institution for implementing each recommendation. The report is concise, comprehensive and cogent, providing an excellent framework for addressing the complex problems in the Niger Delta. There is, however, no indication that its recommendations will be implemented any better than past recommendations. End Summary.

Technical Committee Report Complete but not Public

[¶](#)2. (SBU) The Niger Delta Technical Committee (NDTC) was formed by the GON on September 8 to review all past reports on the situation in the Niger Delta and make recommendations on how to solve the on-going crisis. The 45 members of the Committee elected Ledum Mittee, the President of the Movement for the Survival of the Ogoni People (MOSOP), to chair the committee. The NDTC reviewed 14 previous reports going back

to 1958 and 10 petitions from ethnic groups from the Niger Delta requesting assistance and redress of the situation in the region. The NDTC also requested submissions from the public, conducted meetings with stakeholders, made visits to the area and met with leaders of militant camps in order to develop a comprehensive picture of the situation in the Niger Delta today. The NDTC established eight subcommittees which focused on the particular areas of concern: 1) infrastructure, 2) health and education, 3) economic development and regional planning, 4) environment, sustainable development and corporate responsibility, 5) governance and the rule of law, 6) community, youth and women empowerment, 7) resource ownership, management and distribution and 8) conflict, militancy and demobilization. The results of the Committee's analysis and its recommendations were compiled in a report submitted to the Federal Government on December 1, 2008, but not yet released to the public. Post obtained a confidential copy of the report from one of the committee members.

No Implementation of Recommendations from Previous Reports

¶13. (SBU) The NDTC noted that going back to the 1958 report of Sir Henry Willinks, a Queen's Counsel appointed by the Colonial Office, nearly all analyses broadly identify development challenges and the need to involve local communities in the ethnically diverse region in that development. By 1992, the report of Supreme Court Justice Alfa Belgore blamed the increasing unrest in the region on "neglect" by the Federal Government and recommended

LAGOS 00000129 002 OF 003

substantial investments in development in the region starting with major infrastructure projects. In 1994, a high-profile team sent by General Sani Abacha concluded that the grievances of the local inhabitants were "well founded" and specifically mentioned the "dangerously high unemployment" in the region. By 1998, General Oladayo Popoola reported that unemployed youth were prone to criminal activities and that what had been legitimate community protests about conditions were becoming increasingly criminalized. The Niger Delta Human Development Report of the UNDP in 2006 cited "high unemployment," "abject poverty," "corruption," "endemic conflict" and "rampant human rights abuses" among other factors as the principal problems of the Niger Delta. In general, deterioration in infrastructure and stability is recorded along with a slide toward ever greater poverty, environmental degradation, crime and violence in the series of reports issued with increasing frequency by respected national and international groups. The NDTC stresses that although many of the recommendations were made by committees explicitly established by previous Heads of State with the mandate to "solve" the crisis, virtually none of the recommendations have been implemented. The NDTC notes that this has led to growing frustration with and falling credibility of the GON.

Immediate Action Required

¶14. (SBU) The NDTC divided their recommendations into two parts, a so-called "Compact with Stakeholders" that is a catalogue of immediate measures designed to restore the credibility of the GON and build confidence in the process, and all the remaining recommendations old and new. The key feature of the Compact with Stakeholders is complete transparency of the process including the publication of milestones and deadlines against which progress can be measured. The most important milestones recommended are 1) increase the allocation accruing from oil and gas to the oil producing states from the current 12 per cent to 25 per cent, 2) declare a cease-fire with all armed groups in the region backed by clear conditions for amnesty within the next six months, 3) improve the operational effectiveness of the Joint Task Force (JTF) to eliminate all forms of abuse and to

enable effective policing against criminals, 4) establish a direct labor "Youth Employment Scheme" to employ youths in community work in each Local Government Area in the nine oil-producing states within six months, 5) complete the expansion to four lanes of the East-West road from Lagos to Calabar by June 2010, 6) ensure 5,000 MW of dedicated power to the Niger Delta by June 2010, 7) enforce the existing environmental laws including putting an immediate end to gas flaring, and require international oil companies (IOCs) to carry environmental insurance, 8) rehabilitate all existing health care facilities in the region and provide free health care to all children under the age of five, pregnant women, and all people over the age of 65, and 9) rehabilitate and equip all existing primary and secondary schools.

Disarm, Develop, Govern, Protect the Environment

¶5. (SBU) Remaining recommendations are divided into topical groups and then assigned to the various actors, including the Federal, State and Local Area Governments, the Niger Delta Development Commission (NDDC), IOCs, foreign aid donors and private industry. The recommendations are divided within each category and responsibility by time frame into short, mid and long-term goals. The topical groups are: Disarmament, Demobilization and Reintegration (DDR), Governance, Regional

LAGOS 00000129 003 OF 003

Development, Environment and Human Capital Development. Key recommendations with respect to DDR are: 1) establish a credible commission, 2) ensure a public and fair trial for alleged illegal arms-dealer Henry Okah, 3) grant amnesty to all willing to lay down their arms, 4) exclude from amnesty and criminalize anyone unwilling to take part in the DDR process, 5) equip and train the security forces in peace enforcement and punish abuses, and 6) halt illegal bunkering. With respect to governance, the NDTC recommends that the following laws be amended or repealed: Territorial Waters Act, Land Use Act, Oil Pipelines Act, Nigerian Minerals and Mining Act, National Inland Waterways Authority Act. In addition, the NDTC recommends reviewing Section 44 (3) of the 1999 Constitution. The key thrust of the recommendations with regard to regional development is to diversify the economy of the region away from dependence on oil and natural gas. In addition, the dredging of waterways and construction of infrastructure are seen as crucial to development. The key environmental recommendations are to end the flaring and enforce the existing environmental laws. In addition, the NDTC Report recommends requiring "environmental impact statements" for all new projects, and advocates setting aside funds to research the health impact of oil and gas pollution as well as the potential effects of Climate Change on the Niger Delta. With respect to Human Capital Development, the report recommends the rehabilitation of all health and education facilities located in the Niger Delta and the establishment of a teaching hospital in Bayelsa State among other measures.

¶6. (SBU) Comment: The report is concise, comprehensive and cogent, providing an excellent framework for addressing the complex problems in the Niger Delta. Particularly, impressive is the willingness to identify the appropriate actors for addressing specific tasks. Equally positive is the willingness to make bold recommendations and set deadlines. Some of the suggestions, such as the direct employment of youth at the Local Government Area in a Youth Employment Scheme appear readily implementable without vast budgets; however, others like the provision of 5,000 MW of dedicated electricity by June 2010 and immediate cessation of gas flaring are clearly illusory. More to the point, there is no indication that the recommendations of the NDTC will be implemented. It seems more likely that the NDTC Report will suffer the same fate as all 14 of its predecessors and contribute more to the frustration felt by stakeholders than to the solution of the crisis. End Comment.

~~¶~~7. (U) This cable has been cleared by Embassy Abuja.
BLAIR